

more than one-half of the weight of the solids of the total optional saccharine ingredient. In the third shipment the product had been made from a mixture composed of less than 45 parts by weight of the fruit ingredient, blackberries, to each 55 parts by weight of one of the optional saccharine ingredients specified in the standard.

Further misbranding, Section 403 (e) (2), (one lot of blackberry preserves and both lots of blackberry jelly) the products failed to bear labels containing an accurate statement of the quantity of the contents since the jars contained less than the amount declared on the label.

DISPOSITION: October 25, 1948. A plea of nolo contendere having been entered, the defendant was fined \$125.

13646. Adulteration and misbranding of grape jelly. U. S. v. 9 cases * * *
(F. D. C. No. 24735. Sample No. 741-K.)

LIBEL FILED: May 17, 1948, Northern District of Florida.

ALLEGED SHIPMENT: On or about March 1, 1948, by Rich & Morgan, Inc., from Atlanta, Ga.

PRODUCT: 9 cases, each containing 6 8½-pound jars, of grape jelly at Gainesville, Fla.

LABEL, IN PART: "De.Lish.us Brand Pure Grape Jelly."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing artificial flavoring and artificial coloring and deficient in fruit juice had been substituted for grape jelly.

Misbranding, Section 403 (g) (1), the product fell below the definition and standard of identity for grape jelly since it was made from a mixture composed of less than 45 parts by weight of the fruit juice ingredient to each 55 parts by weight of one of the saccharine ingredients and contained artificial flavoring and artificial coloring, which are not permitted as ingredients of grape jelly.

DISPOSITION: September 4, 1948. Default decree of condemnation. The product was ordered delivered to a Federal institution, for use as hog feed.

13647. Adulteration and misbranding of grape and plum jelly. U. S. v. 379 Cases, etc. (F. D. C. No. 22712. Sample Nos. 77244-H, 77245-H.)

LIBEL FILED: March 19, 1947, Western District of Wisconsin.

ALLEGED SHIPMENT: On or about December 17, 1946, by the Seminole Fruit & Preserving Co., Little River, Fla.

PRODUCT: 554 cases, each containing 24 jars, of jelly at La Crosse, Wis.

LABEL, IN PART: "Cobbs Pure Tropical Fruit Delicacies Plum [or "Grape"] Jelly * * * Net. Wt. 1 lb."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), products of less than 65 percent soluble-solids content had been substituted for plum jelly and grape jelly.

Misbranding, Section 403 (g) (1), the products failed to conform to the definition and standard for plum and grape jellies since they had not been concentrated by heat to such point that the soluble-solids content was not less than 65 percent; and, Section 403 (e) (2), they failed to bear labels containing an accurate statement of the quantity of the contents. (The jars were short-weight.)

DISPOSITION: June 3, 1947. The Cobbs Fruit & Preserving Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the products were ordered released under bond to be brought into compliance with the law by remanufacturing, and the destruction of the unfit portion, under the supervision of the Food and Drug Administration. A total of 247 pounds of the jellies was destroyed. [Editor's note: In addition to being deficient in solids and short weight, the products were in part fermented, moldy, or otherwise decomposed.]

13648. Adulteration and misbranding of strawberry jelly, blackberry jelly, and black raspberry preserves. U. S. v. 7 Cases, etc. (F. D. C. No. 24757. Sample Nos. 16844-K to 16846-K, incl.)

LIBEL FILED: May 5, 1948, Eastern District of Wisconsin.

ALLEGED SHIPMENT: On or about February 4, 1948, by Royal Palm Kitchens, from Chicago, Ill.

PRODUCT: 7 cases of strawberry jelly, 8 cases of blackberry jelly, and 47 cases of black raspberry preserves at Milwaukee, Wis. Each case contained 24 12-ounce jars.

LABEL, IN PART: "Royal Palm Pure Strawberry Jelly [or "Blackberry Jelly" or "Black Raspberry Preserves"]."

NATURE OF CHARGE: Strawberry and blackberry jelly. Adulteration, Section 402 (b) (2), products deficient in fruit juice and containing less than 65 percent soluble-solids content had been substituted for strawberry and blackberry jellies.

Black raspberry preserves. Adulteration, Section 402 (b) (2), a product deficient in fruit and containing less than 68 percent soluble-solids content had been substituted for black raspberry preserves.

Misbranding, Section 403 (g) (1), the products failed to conform to the definitions and standards of identity for strawberry and blackberry jelly and black raspberry preserves. The jellies were made from mixtures composed of less than 45 parts by weight of the fruit juice ingredients to each 55 parts by weight of one of the saccharine ingredients, and the soluble-solids content of the finished jelly was less than 65 percent. The preserve was made from a mixture composed of less than 45 parts by weight of the fruit ingredient to each 55 parts by weight of one of the saccharine ingredients, and the soluble-solids content of the finished product was less than 68 percent.

DISPOSITION: August 3, 1948. Default decree of condemnation. The products were ordered delivered to charitable institutions.

VEGETABLES

13649. Adulteration of frozen green beans. U. S. v. 98 Cases * * *. (F. D. C. No. 20357. Sample Nos. 45517-H, 46661-H.)

LIBEL FILED: June 26, 1946, Northern District of California.

ALLEGED SHIPMENT: On or about March 26, 1946, by the Southland Products Co., from Dade City, Fla.

PRODUCT: 98 cases, each containing 16 2½-pound packages, of frozen green beans at Modesto, Calif. Examination showed that the product was sour and decomposed.

LABEL, IN PART: "Southland Frozen Fresh French Cut Beans Southland Products Co., New York, N. Y."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: September 20, 1946. Default decree of condemnation and destruction.

13650. Misbranding of canned green beans. U. S. v. 284 Cases * * *. (F. D. C. No. 24117. Sample No. 2414-K.)

LIBEL FILED: November 20, 1947, Southern District of West Virginia.

ALLEGED SHIPMENT: On or about August 15, 1947, by I. N. Dovel Co., Inc., from Luray, Va.

LABEL, IN PART: "Hawksbill Brand Cut Green Beans * * * packed by Hawksbill Cannery."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product fell below the standard of quality for canned cut green beans since it contained seeds and pieces of seed in excess of the amount permitted by the standard and the deseeded pods contained fibrous material in excess of the amount permitted; and its label failed to bear a statement that it fell below the standard.

DISPOSITION: July 16, 1948. Default decree of condemnation. The product was ordered delivered to a charitable institution.

13651. Adulteration of canned corn. U. S. v. 2,147 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 24413, 25226. Sample Nos. 26139-K, 27533-K.)

LIBELS FILED: On or about February 9 and August 2, 1948, Western District of Missouri.

ALLEGED SHIPMENT: On or about November 8, 1947, by the Center Point Canning Co., Center Point, Iowa.